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May 12, 2010

SENT VIA EMAIL (interimplan@deltacouncil.ca.gov)

Ms. Terry Macaulay
Deputy Executive Officer, Strategic Planning
Delta Stewardship Council
650 Capitol Mall
Sacramento, CA 95814

Re: Comments on Interim Delta Stewardship Plan Outline

Dear Ms. Macaulay:

This firm represents Reclamation District 999 ("District"), which is within the Clarksburg District of the Delta. The District includes a complex network of channels that provide drainage in the winter and water for agriculture in the dry months as well as a perimeter of levees to prevent flooding from the Sacramento River, the Deep Water Ship channel, and the Delta. Communities within the District include the town of Clarksburg, and the south-eastern Yolo County and a small portion of Solano County, as well as residents of marinas and moorings on the Sacramento River. Our District has been an active steward of the Delta's biological resources for almost 100 years, and depends on adequate flows of good quality water to serve farmland in the Clarksburg area.

As a stakeholder in the various proceedings that will affect land and water management within the Delta, the District offers the following preliminary comments on the content of the Interim Delta Stewardship Plan:

1. The Legislation requiring the Interim Plan to be prepared did not specify content yet the Interim Plan has the potential to provide important guidance to the Delta Stewardship Council ("DSC") and other entities working on issues affecting the Delta. It is imperative that the Delta Stewardship Council conduct a thorough collaboration with the interested public – with a focus on local stakeholders – on the content of the Interim Plan. The request for comments made at the DSC's April meeting and on its website is just a start, not an end, to the need for such collaboration.

2. Section II of the draft Interim Plan Outline (“enhance unique cultural, recreational, and agricultural values . . .”) should include a cross reference to the Delta Protection Commission’s (“DPC”) Economic Sustainability Plan being prepared pursuant to Public Resources Code, section 29759 by July 1, 2011. The DSC should collaborate with the DPC so that the content of the Interim Plan supports the DPC’s efforts to develop an Economic Sustainability Plan. The Delta as an evolving place must continue to be economically and socially viable; with all of the physical changes to the Delta being proposed in the Bay Delta Conservation Plan (“BDCP”), development of a comprehensive plan for the area’s continued economic sustainability is essential.

3. Section IV of the draft Interim Plan Outline (“Promote statewide water conservation, efficiency . . .”) is incomplete as it does not include a reference to any actual conservation efforts. Measures to conserve water exported from the Delta should be included in this section of the Interim Plan. The Interim Plan Outline also repeats and overemphasizes the importance of diversion reporting in the Delta. The Department of Water Resources already has the data to determine consumptive water use in the Delta. Moreover, all water used within the Delta, except water lost to evaporation, remains within the watershed, unlike out-of-basin exports. The DSC should also be aware that under SB 7x 8, Delta water diverters are already being required to report their diversion and use by July 1, 2010. (Wat. Code, § 5101.) It is unclear what additional reporting would occur as a result of Water Code section 85086, subdivision (a).

4. Section V of the draft Interim Plan Outline (“Build facilities to improve the existing water conveyance system and expand statewide storage . . .”) is inconsistent with the language within SB 7x 8. While the bill did not include the required content of the Interim Plan, it is appropriate to refer to the content of the Delta Plan for guidance. According to Water Code section 85304, “The Delta Plan shall promote options for new and improved infrastructure relating to water conveyance in the Delta, storage systems, and for the operation of both to achieve the coequal goals.” Use of this language in the Interim Plan Outline would also be appropriate. Reference to “building facilities” and “completing the BDCP” are premature at this juncture, especially if the DSC is an independent effort from the BDCP.

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Thank you for the opportunity to comment on the draft Outline of the Interim Plan. The District will provide additional comments as the plan progresses.

Very truly yours,

SOLURI MESERVE
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By:

A handwritten signature in black ink, appearing to read "Osha R. Meserve", with a horizontal line extending to the right.

Osha R. Meserve

cc: Reclamation District Board of Trustees

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